

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

GREGORY MILANOVICH,	:	
	:	
Plaintiff	:	
	:	
VS.	:	CIVIL ACTION NO. 5:12-CV-258 (HL)
	:	
ROBERT TOOLE,	:	
	:	
Defendant	:	
_____	:	<u>ORDER</u>

Plaintiff filed his original complaint and motion to proceed *in forma pauperis* on July 6, 2012. (ECF No. 1). Because Plaintiff has had more than fifteen (15) complaints dismissed as frivolous pursuant to 28 U.S.C. § 1915, and his complaint failed to show that he was under imminent danger of serious physical injury, the Court denied his motion to proceed *in forma pauperis* and dismissed his complaint without prejudice. (ECF No. 6).

Plaintiff has now filed a Motion for Reconsideration. (ECF No. 8). The Court has already explained that Warden Toole, the only named Defendant, works at Wilcox State Prison and Plaintiff is no longer incarcerated at Wilcox State Prison. Therefore, Warden Toole poses no threat of imminent danger to Plaintiff. Moreover, because Warden Toole is not employed at Hays State Prison (Plaintiff's current place of confinement), he cannot protect Plaintiff from the threats of violence that Plaintiff is allegedly experiencing at Hays State Prison.

For these reasons, and for the reasons explained in the Court's August 1, 2012 Order, Plaintiff's Motion for Reconsideration is **DENIED**.

SO ORDERED, this 12th day of September, 2012.

s/ Hugh Lawson
HUGH LAWSON, JUDGE
UNITED STATES DISTRICT COURT